

OFFICE OF THE GOVERNOR  
STATE OF HAWAII

**PROCLAMATION**

By the authority vested in me as Governor by the Constitution and laws of the State of Hawaii, in order to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, LINDA LINGLE, Governor of the State of Hawaii, hereby determine, designate and proclaim as follows:

**WHEREAS**, a disaster occurrence of high winds, heavy rains, and flooding beginning Wednesday, December 10, 2008 and which continues, has caused extensive damage to private and public property in the counties of Kauai, Maui and the City and County of Honolulu, State of Hawaii, and is projected to cause further damage thereby endangering the health, safety, and welfare of the people; and

**WHEREAS**, this occurrence of a severe, sudden, and extraordinary event has caused damages, losses, and suffering of such character and magnitude to have affected the health, welfare, and living conditions of a substantial number of persons, and to have affected the economy of the State, and is of such a nature as to warrant rehabilitative assistance from the State; and

**WHEREAS**, the Legislature of the State of Hawaii has appropriated from the general revenues of the State, monies as may be necessary for expenditure by or under the direction of the Governor for the immediate relief of the conditions created by the disaster; and

**WHEREAS**, in expending such monies, the Governor may allot any portion to any agency, office, or employee, federal, state, or county for the most expeditious and efficient relief of the conditions created by the disaster; and

**WHEREAS**, pursuant to section 127-11, Hawaii Revised Statutes, the Governor is authorized to determine whether a major disaster has occurred and authorize the expenditure of funds thereunder; and

**WHEREAS**, pursuant to section 121-30, Hawaii Revised Statutes, the Governor may order the Hawaii National Guard, or any part thereof, into active service for assistance to civil authorities in disaster relief, civil defense, averting any imminent public danger and threat, and to insure the compliance with the civil laws of the State of Hawaii; and

**WHEREAS**, pursuant to section 209-2, Hawaii Revised Statutes, the Governor is authorized to make a determination whether a disaster has occurred, thereby making available housing relief, under part II of chapter 209, Hawaii Revised Statutes, and commercial and personal loans under part III of chapter 209, Hawaii Revised Statutes, for disaster relief and rehabilitation; and

**WHEREAS**, pursuant to section 128-10(5), Hawaii Revised Statutes, the Governor is further authorized to order and direct government agencies, officers, and employees, state or local, to take such action and employ such measures for law enforcement, medical, health, fire fighting, traffic control, warnings, and signals, engineering, rescue, construction, emergency housing, and other welfare, hospitalization, transportation, water supply, public information, training, and other civil defense and emergency functions as may be necessary, and utilize the services, materials, and facilities of the agencies and officers; and

**WHEREAS**, pursuant to section 128-10(11), Hawaii Revised Statutes, the Governor may appoint, employ, train, equip, and maintain, with compensation, or on a volunteer basis without compensation and without regard to chapters 76, 78, and 88, such agencies, officers, and other persons as the Governor deems necessary to carry out emergency disaster relief functions; determine to what extent any law prohibiting the holding of more than one office or employment applies to the agencies, officers, and other persons; and subject to section 128-15, provide for and effect the interchange of personnel, by detail, transfer, or otherwise, between the State and any political subdivision, or among any agencies or departments of the State; and

**WHEREAS**, pursuant to section 128-10(15), Hawaii Revised Statutes, the Governor may take any and all steps necessary or appropriate to carry out the purposes of chapter 128 and to provide for civil defense and other emergency functions; and

**NOW, THEREFORE**, I, LINDA LINGLE, Governor of the State of Hawaii, hereby determine that a disaster contemplated by sections 127-11, 128-7, 121-30, 209-2, and parts II and III of chapter 209, Hawaii Revised Statutes, has occurred on the above dates and in the above areas in the State of Hawaii, and do hereby proclaim these areas to be disaster areas for the purpose of authorizing the expenditure of State monies as appropriated for the speedy and efficient relief of the damages, losses, and suffering resulting from the disaster, and hereby authorize and invoke the following measures under the Hawaii Revised Statutes:

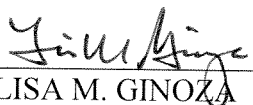
1. Section 127-11, **major disaster fund**.
2. Part II of chapter 209, **housing relief**.
3. Part III of chapter 209, **commercial and personal loans**.
4. Section 121-30, Hawaii Revised Statutes, **active service of the National Guard**; and I hereby order the National Guard into active service effective immediately, and the Adjutant General of the Hawaii National Guard is DIRECTED AND AUTHORIZED to activate such units of the Hawaii National Guard as may be necessary to assist and aid civilian authorities in disaster relief and in averting any imminent public danger and threat and to insure the compliance with the civil laws of the State of Hawaii.
5. Section 128-10(5), Hawaii Revised Statutes, and in order to provide emergency disaster relief, I hereby direct all state and county agencies and officers to cooperate with and extend their services, materials, and facilities as may be required to assist in all efforts to eliminate the danger.

I FURTHER DECLARE that a disaster emergency relief period shall commence December 10, 2008 and continue through December 16, 2008, but the activation of the Hawaii National Guard shall continue until the Adjutant General determines that the assistance of the National Guard is no longer needed and I will set a date after which no further applications for assistance under the law shall be accepted, which date I may extend for a reasonable time for good cause.

Done at the State Capitol State of Hawaii, this 12<sup>th</sup> day of December, 2008.

  
LINDA LINGLE  
*Governor of Hawaii*

APPROVED:

  
LISA M. GINOZA  
*Acting Attorney General  
State of Hawaii*